

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

Re: ECF No. 19501

(Jointly Administered)

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Movants,

-against-

ORLANDO SANTIAGO AMADOR

Respondent.

**JOINT NOTICE OF WITHDRAWAL OF
MOTION OBJECTING DOCKET NO. 19353 AND INFORMING
CURE AMOUNTS FOR EXECUTORY CONTRACTS OR UNEXPIRED
LEASES TO BE ASSUMED WITH SERVICENTRO CIALES, INC.
PURSUANT TO TITLE III PLAN OF ADJUSTMENT [ECF NO. 19501]**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Building Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To the Honorable United States District Court Judge Laura Taylor Swain:

Orlando Santiago Amador (“Amador”), through undersigned counsel, hereby withdraws the *Motion Objecting Docket No. 19353 and Informing Cure Amounts for Executory Contracts or Unexpired Leases to be Assumed with Servicentro Ciales, Inc. Pursuant to Title III Plan Of Adjustment* [ECF No. 19501] (the “Amador Objection”). The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Public Buildings Authority (“PBA” and, collectively with the Commonwealth and ERS, the “Debtors”), pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² and Amador state as follows:

1. On November 21, 2021, the Oversight Board filed the *Second Amended Plan Supplement and Plan Related Documents of the Commonwealth of Puerto Rico, et al.* [Case No. 17-BK-3283-LTS, ECF No. 19326] (the “Second Amended Plan Supplement”).³ Attached to the Second Amended Plan Supplement as Exhibit E is a schedule of Executory Contracts and Unexpired Leases (the “Schedule”). Pursuant to Section 76.1 of the Plan, the Debtors intend to assume, as of the Effective Date of the Plan, the Executory Contracts and Unexpired Leases listed in the Schedule.

2. On November 23, 2021, the Oversight Board filed the *Notice of Executory Contracts and Unexpired Leases to be Assumed Pursuant to Title III Plan of Adjustment* [Case

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

³ All capitalized terms used but not otherwise defined herein shall have the meanings given to them in the *Modified Eighth Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico*, et al., dated January 14, 2022 [Case No. 17-BK-3283-LTS, ECF No. 19784] (as may be amended, modified, or supplemented, the “Plan”) or the Original Notice (as defined below), as applicable.

No. 17-BK-3283-LTS, ECF No. 19353; Case No. 19-BK-05523-LTS, ECF No. 244; Case No. 17-BK-03566-LTS, ECF No. 1272] (the “Original Notice”), which provided that the deadline for parties in interest to object to the proposed Cure Costs or the assumption of the Executory Contracts or Unexpired Leases was December 13, 2021, at 5:00 p.m. (prevailing Atlantic Standard Time) (the “Original Objection Deadline”).

3. On December 13, 2021, Amador, through undersigned counsel, filed the Amador Objection, which objected to the proposed Cure Costs relating to Amador’s Executory Contracts or Unexpired Leases to be assumed by the Debtors with Servicentro Ciales, Inc.

4. On February 9, 2022, the Oversight Board filed the *Third Urgent Consensual Motion for Extension of Deadlines and Adjournment of Hearing* [ECF No. 20082], which indicated that the Oversight Board had reached a resolution with Amador to the Amador Objection and that such resolution would be reflected in a revised Schedule to be filed with an amended Plan Supplement on or before March 15, 2022.

5. In addition, Amador asserts that, during such process, it proved to have the proper standing and be the correct payee of any such cure amount related to the Unexpired Leases to be assumed by the Debtors with Servicentro Ciales, Inc.

6. On March 15, 2022, the Oversight Board filed the *Fourth Amended Plan Supplement and Plan Related Documents of the Commonwealth of Puerto Rico, et al.* [ECF No. 20353] (the “Fourth Amended Plan Supplement”), which includes a revised Schedule reflecting the agreed upon revised Cure Cost (the “Revised Cure Cost”) relating to Amador’s Executory Contracts or Unexpired Leases to be assumed by the Debtors with Servicentro Ciales, Inc.

7. In light of the Revised Cure Cost, Amador, through undersigned counsel, respectfully withdraws the Amador Objection.

Dated: March 16, 2022
San Juan, Puerto Rico

Respectfully submitted,

/s/ Alexis A. Betancourt Vincenty

Alexis A. Betancourt Vincenty
USDC-PR No. 301304
Lugo Mender Group, LLC
100 Carr. 165 Suite 501
Guaynabao, P.R. 00968-8052
Tel. (787) 707-0404
Fax (787) 707-0412
a_betancourt@lugomender.com

Counsel for Orlando Santiago Amador

/s/ Brian S. Rosen

Martin J. Bienenstock (*pro hac vice*)
Brian S. Rosen (*pro hac vice*)
PROSKAUER ROSE LLP
Eleven Times Square
New York, NY 10036
Tel: (212) 969-3000
Fax: (212) 969-2900

*Attorneys for the Financial Oversight and
Management Board as representative for the
Debtors*

/s/ Hermann D. Bauer

Hermann D. Bauer
USDC No. 215205
O'NEILL & BORGES LLC
250 Muñoz Rivera Ave., Suite 800
San Juan, PR 00918-1813
Tel: (787) 764-8181